08-13555-mg Doc 36646

Filed 04/18/13 Entered 04/18/13 10:03:16 Main Document United Staffs Bankruptcy Court

Southern District of New York

In re: Lehman Brothers Holdings Inc

Case No.

08-13555 (JMP)

TRANSFER OF CLAIMS OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferce hereby gives evidence and notice pursuant to Rule 3001 (e) (2). Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in this evidence and notice.

Yorvik Partners LLP	Oesterreiche Volksbanken AG
Name of Transferee	Name of Transferor
Name and Address where notices to transferee should be sent:	Court Claim # (if known): 67437
11 fronmonger Lanc London EC2V 8EY	Amount of Claim: 100% of the total filed under Claim number 67437, which totals \$728,957.89
United Kingdom	Date Claim Filed: 04/05/2011
e-mail: b.rana@yorvikpartners.com	· · · · · · · · · · · · · · · · · · ·

Tel: ±44 20 7796 5908

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

Transferee/Transferee's Agent

Date: 17/04/201

Penalty for making a false statement. Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C., §§ 152 & 3571.

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United States Bankruptcy Court/Southern District of New York Lehman Brothers Holdings Claims Processing Center c/o Epiq Bankruptcy Solutions, LLC FDR Station, P.O. Box 5076 New York, NY 10150-5076		LEHMAN SECURITIES PROGRAMS PROOF OF CLAIM Filed: USBC - Southern District of New York					
In Re: Lehman Brothers Holdings Inc., et al., Debtors.	Chapter 11 Case No. 08-13555 (JMP) (Jointly Administered)	Lehman Brothers	Holdings Inc., Et Al. 55 (JMP) 0000067437				
based on Lehman Programs Se							
http://www.lehman-docket.com	THIS SPAC	CE IS FOR COURT USE ONLY					
Name and address of Creditor: (and nam Creditor)	e and address where notices should be sen	t if different from	☑ Check this box to indicate that this claim amends a previously filed claim.				
Oesterreiche Volksbanken-Aktiengesell AG Kolingasse 19	Court Claim Number: 66531 (If known)						
A-1090 Vienna, Austria	Filed on:						
Telephone number: +43(0)50 4004-3476	im for additional names and addresses for Email Address: david.krommer@volks						
Name and address where payment shoul Telephone number:	d be sent (if different from above) Email Address:		☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.				
Programs Securities as of September 15 and whether such claim matured or beca dollars, using the exchange rate as applied	ame fixed or liquidated before or after Sep	rograms Securities on Septer stember 15, 2008. The claim ing this claim with respect to	mber 15, 2008 or acquired them thereafter, amount must be stated in United States more than one Lehman Programs Security,				
Amount of Claim: \$ See attached Ad	dendum to Proof of Claim						
Check this box if the amount of claim includes interest or other charges in addition to the principal amount due on the Lehman Programs Securities.							
			nich this claim relates. If you are filing this the Lehman Programs Securities to which				
International Securities Identification	Number (ISIN): See attached Addendun	n to Proof of Claim					
appropriate (each, a "Blocking Number" your accountholder (i.e. the bank, broker Lehman Programs Security, you may att		which you are filing a claim on your behalf). If you are fili rs for each Lehman Program	1. You must acquire a Blocking Number from ng this claim with respect to more than one s Security to which this claim relates.				
See attached Addendum to Proof of C	laim						
you are filing this claim. You must acqu	ire the relevant Clearstream Bank, Eurocl	ear Bank or other depository	your Lehman Programs Securities for which participant account number from your should not provide their personal account				
Accountholders Euroclear Bank, Clearstream Bank or Other Depository Participant Account Number:							
See attached Addendum to Proof of C	laim						
consent to, and are deemed to have authoriselose your identity and holdings of Loreconciling claims and distributions	rstream Bank or Other Depository: By orized, Euroclear Bank, Clearstream Bank ehman Programs Securities to the Debtors on filing this claim must sign it. Sign and	or other depository to for the purpose of	FILED DECS APR 0 5 2011				
April 7 any, of the creditor or	other person authorized to file this claim fifferent from the notice address above. A	aim and state address and					

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Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The questions on the Proof of Claim form include instructions for completing each question. The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is the person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.

Claim

A claim is the creditor's right to receive payment on a debt that was owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured, reduced to judgment or not, liquidated or unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal or equitable

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the Claims Agent at the following address:

Lehman Brothers Holdings Claims Processing c/o Epiq Bankruptcy Solutions, LLC FDR Station, PO Box 5076 New York, NY 10150-5076

Lehman Programs Security

Any security included on the list designated "Lehman Programs Securities" available on http://www.lehman-docket.com as of July 17, 2009.

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INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim, or you may access the Claims Agent's system (http://www.lehman-docket.com) to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.

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ADDENDUM TO PROOF OF CLAIM

This proof of claim is filed in the chapter 11 case of Lehman Brothers Holdings Inc., (the "<u>Debtor</u>"), Case No. 08-13555 (JMP), by Österreichische Volksbanken-Aktiengesellschaft on behalf of Volksbank Gewerbe- und Handelsbank Kärnten AG ("<u>Claimant</u>").

Claimant's address is set forth on the first page of this proof of claim. Any notice relating to this proof of claim should be sent to such address with additional copies to be sent to the following addresses:

DLA Piper LLP (US)
1251 Avenue of the Americas
New York, New York 10020
Attention: William M. Goldman, Esq.
Vincent Roldan, Esq.

DLA Piper Weiss-Tessbach
Schottenring 14
A-1010 Vienna/Austria
Attention: Thomas Ruhm, Esq.
Christian Temmel, Esq.

This proof of claim is filed in connection with a Lehman Program Security as that term is defined in that certain July 2, 2009 order establishing the deadline for filing proofs of claim (the "Bar Date Order"). As such, and pursuant to the express provisions of the Bar Date Order, no documentation supporting this proof of claim is attached.

This claim is for the principal amount of 500,000 euro, or \$708,750 as of September 15, 2008, plus interest in an amount that is presently undetermined. The principal amount for securities in euros is converted into U.S. dollars using the September 15, 2008 exchange rate posted by the Federal Reserve Bank of New York which is EUR 1.0 = USD 1.4175. In addition to the principal amount, Claimant is owed additional amounts in accordance with documents relating to the Lehman Program Security. Claimant is currently unable to calculate the amount of interest due in connection with the Lehman Program Security covered by this proof of claim, and therefore, this proof of claim asserts an unliquidated amount.

The following chart shows each Lehman Program Security to which this claim relates, the depository blocking reference number, and the depository participant account number.

· I	SIN	Blocking	Reference #	Depository	participant	account #
XS028	3497005	CA65	5487835	Clearstre	am acct. no	. 16.012

Reservation of Rights

No judgment has been entered on any portion of the proof of claim.

Claimant hereby reserves the right to assert further, additional and amended claims.

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By executing and filing this proof of claim, Claimant, is not (i) waiving or releasing Claimant's rights against any other entity or person or (ii) electing a remedy which waives or otherwise affects any other remedy of Claimant.

Claimant, in executing and filing this proof of claim, does not waive any right to any security, collateral or share thereof to which it may be entitled or any right to claim specific assets or any other right or rights that it has or may have against the Debtor or any other person or persons, and expressly reserves the right to amend or supplement this proof of claim in any respect and to file additional proofs of claim for additional claims.